



December 4, 2014

*VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED*

Doug Button, President
Ed Bortoli, Manager
Blue Line Transfer Station, Inc.
500 East Jaime Court
South San Francisco, California 94080

Paul Formosa
Agent for Service of Process
Blue Line Transfer Station, Inc. & South
San Francisco Scavenger Co., Inc.
500 East Jamie Court
South San Francisco, California 94080

Doug Button, President
Ron Fornesi, Operations Manager
South San Francisco Scavenger Co., Inc.
P.O. Box 348
South San Francisco, California 94083

Re: Notice of Violation and Intent to File Suit under the Clean Water Act

Dear Sirs:

I am writing on behalf of San Francisco Baykeeper ("Baykeeper") to give notice that Baykeeper intends to file a civil action against Blue Line Transfer Station and South San Francisco Scavenger Company, Inc. ("Blue Line" and/or "SSFSC") for violations of the federal Clean Water Act, 33 U.S.C. § 1251 *et seq.* ("CWA") at Blue Line's facility located at 500 East Jaime Court, South San Francisco, California (the "Facility").

Baykeeper is a non-profit public benefit corporation organized under the laws of California, with its office in San Francisco, California. Baykeeper's purpose is to protect and enhance the water quality and natural resources of San Francisco Bay, its tributaries, and other waters in the Bay Area, for the benefit of its ecosystems and communities. Baykeeper has over three thousand members who use and enjoy San Francisco Bay and other waters for various recreational, educational, and spiritual purposes. Baykeeper's members' use and enjoyment of these waters are negatively affected by the pollution caused by Blue Line's operations.

This letter addresses Blue Line's unlawful discharge of pollutants via stormwater from the Facility to San Francisco Bay. Specifically, Baykeeper's investigation of the Facility has uncovered significant, ongoing, and continuous violations of the CWA and the National Pollution Discharge Elimination System ("NPDES") General Permit No.



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CAS000001 [State Water Resources Control Board] Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ ("Industrial Stormwater Permit").¹

CWA section 505(b) requires that sixty (60) days prior to the initiation of a civil action under CWA section 505(a), a citizen must give notice of his or her intent to file suit. 33 U.S.C. § 1365. Notice must be given to the alleged violator, the U.S. Environmental Protection Agency ("EPA"), and the State in which the violations occur. As required by section 505(b), this Notice of Violation and Intent to File Suit provides notice to Blue Line of the violations that have occurred and which continue to occur at the Facility. After the expiration of sixty (60) days from the date of this Notice of Violation and Intent to File Suit, Baykeeper intends to file suit in federal court against Blue Line under CWA section 505(a) for the violations described more fully below.

During the 60-day notice period, Baykeeper is willing to discuss effective remedies for the violations noticed in this letter. We suggest that Blue Line contact us within the next twenty (20) days so that these discussions may be completed by the conclusion of the 60-day notice period. Please note that we do not intend to delay the filing of a complaint in federal court, and service of the complaint shortly thereafter, even if discussions are continuing when the notice period ends.

I. THE LOCATION OF THE ALLEGED VIOLATIONS

A. The Facility

Blue Line operates a recycling facility located at 500 East Jaime Court in South San Francisco, California. SSFSC collects trash and recyclables from off site, and transports it to the Facility for processing by Blue Line. At the Facility, Blue Line processes recyclables, and conducts vehicle maintenance. The Facility's potential pollutants include total suspended solids ("TSS"); heavy metals such as aluminum, copper, iron, lead, and zinc; waste oils; gasoline; diesel, and other pollutants. The Facility discharges stormwater into the City of South San Francisco's municipal separate storm sewer system and then to San Francisco Bay. The Facility is bounded to the north by marshes and is separated from the Bay to the south and east only by the San Francisco Bay Trail.

B. The Affected Waters

San Francisco Bay is a water of the United States. The CWA requires that water bodies such as San Francisco Bay meet water quality objectives that protect specific "beneficial uses." The beneficial uses of San Francisco Bay and its tributaries include commercial and sport fishing, estuarine habitat, fish migration, navigation, preservation

¹ On April 1, 2014, the State Water Resources Control Board adopted an updated NPDES General Permit for Discharges Associated with Industrial Activity, Water Quality Order No. 2014-57-DWQ, which has no force or effect until its effective date of July 1, 2015. As of the effective date, Water Quality Order No. 2014-57-DWQ will supersede and rescind the current Industrial Stormwater Permit except for purposes of enforcement actions brought pursuant to the current permit.

of rare and endangered species, water contact and non-contact recreation, shellfish harvesting, fish spawning, and wildlife habitat. Contaminated stormwater from the Facility adversely affects these beneficial uses by impairing water quality and threatening the ecosystem of the San Francisco Bay watershed, including significant habitat for listed rare and endangered species.

II. THE ACTIVITIES AT THE FACILITY CONSTITUTE VIOLATIONS OF THE CLEAN WATER ACT

It is unlawful to discharge pollutants to waters of the United States, such as San Francisco Bay, without an NPDES permit or in violation of the terms and conditions of an NPDES permit. CWA § 301(a), 33 U.S.C. § 1311(a); *see also* CWA § 402(p), 33 U.S.C. § 1342(p) (requiring NPDES permit issuance for the discharge of stormwater associated with industrial activities). The Industrial Stormwater Permit authorizes certain discharges of stormwater, conditioned on compliance with its terms.

In 2001, Blue Line submitted a Notice of Intent ("NOI") to be authorized to discharge stormwater from the Facility under the Industrial Stormwater Permit. However, information available to Baykeeper indicates that stormwater discharges from the Facility have violated several terms of the Industrial Stormwater Permit, thereby violating the CWA. *Id.* Apart from discharges that comply with the Industrial Stormwater Permit, the Facility lacks NPDES permit authorization for any other discharges of pollutants into waters of the United States.

A. Discharges in Excess of BAT/BCT Levels

The Effluent Limitations of the Industrial Stormwater Permit prohibit the discharge of pollutants from the Facility in concentrations above the level commensurate with the application of best available technology economically achievable ("BAT") for toxic pollutants² and best conventional pollutant control technology ("BCT") for conventional pollutants.³ Industrial Stormwater Permit, Order Part B(3). The EPA has published Benchmark values set at the maximum pollutant concentration present if an industrial facility is employing BAT and BCT, as listed in Attachment 1 to this letter.⁴

² BAT is defined at 40 C.F.R. § 442.23. Toxic pollutants are listed at 40 C.F.R. § 401.15 and include copper, lead, and zinc, among others.

³ BCT is defined at 40 C.F.R. § 442.22. Conventional pollutants are listed at 40 C.F.R. § 401.16 and include BOD, TSS, oil and grease, pH, and fecal coliform.

⁴ The Benchmark values are part of EPA's Multi-Sector General Permit ("MSGP") and can be found at: http://www.epa.gov/npdes/pubs/msgp2008_finalpermit.pdf. *See* 73 Fed. Reg. 56,572 (Sept. 29, 2008) (Final National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Industrial Activities). In the latest version of the permit, EPA has proposed the inclusion of Benchmark values for facilities that discharge into saltwater, which can be found at: http://water.epa.gov/polwaste/npdes/stormwater/upload/msgp2013_proposedpermit8.pdf. *See* 78 Fed. Reg. 59,672 (Sept. 27, 2013) (Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Industrial Activities).

Blue Line's self-reported exceedances of Benchmark values over the last five (5) years, identified in Attachment 2 to this letter, indicate that Blue Line has failed and is failing to employ measures that constitute BAT and BCT in violation of the requirements of the Industrial Stormwater Permit. Baykeeper alleges and notifies Blue Line that its stormwater discharges from the Facility have consistently contained and continue to contain levels of pollutants that exceed Benchmark values for TSS, chemical oxygen demand ("COD"), aluminum, copper, iron, lead, and zinc. Blue Line has also exceeded the Benchmark value for pH.

Blue Line's ongoing discharges of stormwater containing levels of pollutants above EPA Benchmark values and BAT- and BCT-based levels of control also demonstrate that Blue Line has not developed and implemented sufficient Best Management Practices ("BMPs") at the Facility. Proper BMPs could include, but are not limited to, moving certain pollution-generating activities under cover or indoors, capturing and effectively filtering or otherwise treating all stormwater prior to discharge, frequent sweeping to reduce the build-up of pollutants on-site, installing filters in downspouts and storm drains, and other similar measures.

Blue Line's failure to develop and/or implement adequate pollution controls to meet BAT and BCT at the Facility violates and will continue to violate the CWA and the Industrial Stormwater Permit each and every day Blue Line discharges stormwater without meeting BAT/BCT. Baykeeper alleges that Blue Line has discharged stormwater containing excessive levels of pollutants from the Facility to San Francisco Bay during at least every significant local rain event over 0.1 inches in the last five (5) years.⁵ Attachment 3 compiles all dates in the last five (5) years when a significant rain event occurred. Blue Line is subject to civil penalties for each violation of the Industrial Stormwater Permit and the CWA within the past five (5) years.

B. Discharges Impairing Receiving Waters

The Industrial Stormwater Permit's Discharge Prohibitions disallow stormwater discharges that cause or threaten to cause pollution, contamination, or nuisance. *See* Industrial Stormwater Permit, Order Part A(2). The Industrial Stormwater Permit also prohibits stormwater discharges to surface or groundwater that adversely impact human health or the environment. *Id.* at Order Part C(1). Receiving Water Limitations of the Industrial Stormwater Permit prohibit stormwater discharges that cause or contribute to an exceedance of applicable Water Quality Standards ("WQS"). *Id.* at Order Part C(2). Applicable WQS are set forth in the California Toxics Rule ("CTR")⁶ and Chapter 3 of

⁵ Significant local rain events are reflected in the rain gauge data available at: <http://cdec.water.ca.gov>, <http://lwf.ncdc.noaa.gov/oa/ncdc.html>, and <http://www.ncdc.noaa.gov/IPS/hpd/hpd.html> (Last accessed on 12/1/14).

⁶ The CTR is set forth at 40 C.F.R. § 131.38 and is explained in the Federal Register preamble accompanying the CTR promulgation set forth at 65 Fed. Reg. 31,682 (May 18, 2000).

the San Francisco Bay Basin (Region 2) Water Quality Control Plan ("Basin Plan").⁷ See Attachment 1. Exceedances of WQS are violations of the Industrial Stormwater Permit, the CTR, and the Basin Plan.

The Basin Plan establishes WQS for San Francisco Bay and its tributaries, including but not limited to the following:

- Waters shall not contain substances in concentrations that result in the deposition of material that cause nuisance or adversely affect beneficial uses.
- Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.
- Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases from normal background light penetration or turbidity relatable to waste discharge shall not be greater than 10 percent in areas where natural turbidity is greater than 50 NTU.
- All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms.
- Surface waters shall not contain concentrations of chemical constituents in amounts that adversely affect any designated beneficial use. The Basin Plan, Table 3-3, identifies specific marine water quality objectives for toxic pollutants,⁸ and Table 3-3A identifies specific water quality objectives for copper and nickel in San Francisco Bay segments.⁹

Baykeeper alleges that Blue Line's stormwater discharges have caused or contributed to exceedances of the WQS set forth in the Basin Plan and CTR. These allegations are based on Blue Line's self-reported data submitted to the San Francisco Bay Regional Water Quality Control Board, which indicates exceedances of receiving water limits for lead, zinc, and copper. Blue Line's data also indicates exceedances of receiving water limits for pH. See Attachment 2.

Baykeeper alleges that each day that Blue Line has discharged stormwater from the Facility, Blue Line's stormwater has contained levels of pollutants that exceeded one

⁷ The Basin Plan is published by the San Francisco Bay Regional Water Quality Control Board at: http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml#2004basinplan (Last accessed on 12/1/14).

⁸ Basin Plan, Table 3-3 is available at: http://www.waterboards.ca.gov/rwqcb2/water_issues/programs/planningtmdls/basinplan/web/tab/tab_3-03.pdf (Last accessed on 12/1/14).

⁹ Basin Plan, Table 3-3A is available at: http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/tab/tab_3-03a.pdf (Last accessed on 12/1/14).

or more of the applicable WQS in the San Francisco Bay. Baykeeper alleges that Blue Line has discharged stormwater exceeding WQS from the Facility to San Francisco Bay during at least every significant local rain event over 0.1 inches in the last five (5) years. See Attachment 3. Each discharge from the Facility that has caused or contributed, or causes or contributes, to an exceedance of an applicable WQS constitutes a separate violation of the Industrial Stormwater Permit and the CWA. Blue Line is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA within the past five (5) years.

C. Failure to Develop and Implement an Adequate Storm Water Pollution Prevention Plan

The Industrial Stormwater Permit requires dischargers to develop and implement an adequate Storm Water Pollution Prevention Plan ("SWPPP"). Industrial Stormwater Permit, Section A(1)(a). The Industrial Stormwater Permit also requires dischargers to make all necessary revisions to existing SWPPPs promptly. *Id.* at Order Part E(2).

The SWPPP must include, among other requirements, the following: a site map, a list of significant materials handled and stored at the site, a description and assessment of all potential pollutant sources, a description of the BMPs that will reduce or prevent pollutants in stormwater discharges, specification of BMPs designed to reduce pollutant discharge to BAT and BCT levels, a comprehensive site compliance evaluation completed each reporting year, and revisions to the SWPPP within 90 days after a facility manager determines that the SWPPP is in violation of any requirements of the Industrial Stormwater Permit. See Industrial Stormwater Permit, Section A.

Based on information available to Baykeeper, Blue Line has failed to prepare and/or implement an adequate SWPPP and/or to revise the SWPPP to satisfy each of the requirements of Section A of the Industrial Stormwater Permit. For example, Blue Line's SWPPP does not include, and Blue Line has not implemented, adequate BMPs designed to reduce pollutant levels in discharges to BAT and BCT levels in accordance with Section A(8) of the Industrial Stormwater Permit, as evidenced by the data in Attachment 2.

Accordingly, Blue Line has violated the CWA each and every day that it has failed to develop and/or implement an adequate SWPPP meeting all of the requirements of Section A of the Industrial Stormwater Permit, and Blue Line will continue to be in violation every day until it develops and/or implements an adequate SWPPP. Blue Line is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA occurring within the past five (5) years.

D. Failure to Develop and Implement an Adequate Monitoring and Reporting Program and to Perform Annual Comprehensive Site Compliance Evaluations

The Industrial Stormwater Permit requires facility operators to develop and implement a Monitoring and Reporting Program ("MRP"). Industrial Stormwater Permit, Order Part E(3) and Section B(1). The Industrial Stormwater Permit requires that the MRP ensure that each facility's stormwater discharges comply with the Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations specified in the Industrial Stormwater Permit. *Id.* at Section B(2). Facility operators must ensure that their MRP practices reduce or prevent pollutants in stormwater and authorized non-stormwater discharges, as well as evaluate and revise their practices to meet changing conditions at the facility. *Id.* This may include revising the SWPPP as required by Section A of the Industrial Stormwater Permit. The MRP must measure the effectiveness of BMPs used to prevent or reduce pollutants in stormwater and authorized non-stormwater discharges, and facility operators must revise the MRP whenever appropriate. *Id.* at Section B(2). The Industrial Stormwater Permit requires facility operators to visually observe and collect samples of stormwater discharges from all drainage areas. *Id.* at Section B(7). Facility operators must also provide an explanation of monitoring methods describing how the facility's monitoring program will satisfy these objectives. *Id.* at Section B(10).

Blue Line has been operating the Facility with an inadequately-developed and/or inadequately-implemented MRP, in violation of the substantive and procedural requirements set forth in Section B of the Industrial Stormwater Permit. For example, the sampling results data in Attachment 2 indicates that Blue Line's monitoring program has not ensured that stormwater discharges are in compliance with the Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations of the Industrial Stormwater Permit as required by Section B(2). The monitoring program has not resulted in practices at the Facility that adequately reduce or prevent pollutants in stormwater as required by Section B(2). Similarly, the data in Attachment 2 indicate that Blue Line's MRP has not effectively identified or responded to compliance problems at the Facility or resulted in effective revision of BMPs in use or the Facility's SWPPP to address such ongoing problems as required by Section B(2).

As a result of Blue Line's failure to adequately develop and/or implement an adequate MRP at the Facility, Blue Line has been in daily and continuous violation of the Industrial Stormwater Permit and the CWA each and every day for the past five (5) years. These violations are ongoing. Blue Line will continue to be in violation of the monitoring and reporting requirements each day that Blue Line fails to adequately develop and/or implement an effective MRP at the Facility. Blue Line is subject to penalties for each violation of the Industrial Stormwater Permit and the CWA occurring for the last five (5) years.

E. Discharges Without Permit Coverage

Section 301(a) of the CWA prohibits the discharge of any pollutant into waters of the United States unless the discharge is authorized by a NPDES permit issued pursuant to section 402 of the CWA. *See* 33 U.S.C. §§ 1311(a), 1342. Blue Line sought coverage for the Facility under the Industrial Stormwater Permit, which states that any discharge from an industrial facility not in compliance with the Industrial Stormwater Permit "must be either eliminated or permitted by a separate NPDES permit." Industrial Stormwater Permit, Order Part A(1). Because Blue Line has not obtained coverage under a separate NPDES permit and has failed to eliminate discharges not permitted by the Industrial Stormwater Permit, each and every discharge from the Facility described herein not in compliance with the Industrial Stormwater Permit has constituted and will continue to constitute a discharge without CWA permit coverage in violation of section 301(a) of the CWA, 33 U.S.C. § 1311(a).

III. PERSONS RESPONSIBLE FOR THE VIOLATIONS

Blue Line Transfer Station, Inc. and South San Francisco Scavenger Company, Inc. are the persons responsible for the violations at the Facility described above.

IV. NAME AND ADDRESS OF NOTICING PARTY

Our name, address, and telephone number is as follows:

San Francisco Baykeeper
785 Market Street, Suite 850
San Francisco, CA 94103
(415) 856-0444

V. COUNSEL

Baykeeper is represented by the following counsel in this matter, to whom all communications should be directed:

Nicole C. Sasaki, Associate Attorney
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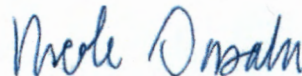
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VI. REMEDIES

Baykeeper intends, at the close of the 60-day notice period or thereafter, to file a citizen suit under CWA section 505(a) against Blue Line for the above-referenced violations. Baykeeper will seek declaratory and injunctive relief to prevent further CWA violations pursuant to CWA sections 505(a) and (d), 33 U.S.C. § 1365(a) and (d), and such other relief as permitted by law. In addition, Baykeeper will seek civil penalties pursuant to CWA section 309(d), 33 U.S.C. § 1319(d), and 40 C.F.R. § 19.4, against Blue Line in this action. The CWA imposes civil penalty liability of up to \$37,500 per day per violation for violations occurring after January 12, 2009. 33 U.S.C. § 1319(d); 40 C.F.R. § 19.4. Baykeeper will seek to recover attorneys' fees, experts' fees, and costs in accordance with CWA section 505(d), 33 U.S.C. § 1365(d).

As noted above, Baykeeper is willing during the 60-day notice period to discuss effective remedies for the violations noted in this letter. Please contact Nicole or George to initiate these discussions.

Sincerely,



Nicole C. Sasaki
Associate Attorney
San Francisco Baykeeper

Cc:

Gina McCarthy Administrator US EPA, William Jefferson Clinton Bldg. 1200 Pennsylvania Avenue, N.W. Mail Code: 1101A Washington, DC 20460	Bruce Wolfe Executive Officer Regional Water Quality Control Board San Francisco Bay Region 1515 Clay Street, Suite 1400 Oakland, CA 94612
Jared Blumenfeld Regional Administrator U.S. EPA - Region 9 75 Hawthorne Street San Francisco, CA 94105	Thomas Howard Executive Director State Water Resources Control Board 1001 I Street Sacramento, CA 95814

Attachment 1: EPA Benchmarks and Water Quality Standards for Discharges into Marine Waters

A. EPA Benchmarks (Multi-Sector General Permit)

Parameter	Units	Benchmark value	Source
pH	SU	6.0-9.0	MSGP
Total Suspended Solids	mg/L	100	MSGP
Chemical Oxygen Demand	mg/L	120	MSGP
Aluminum Total	mg/L	0.75	MSGP
Iron Total	mg/L	1.0	MSGP
Lead Total	mg/L	0.21	MSGP*
Zinc Total	mg/L	0.09	MSGP*
Copper Total	mg/L	0.0048	MSGP*

* The benchmark values for lead, zinc, and copper are found in the proposed 2013 MSGP, which includes a specific benchmark for discharges into saltwater. All other benchmarks are included in both the 2008 MSGP and the proposed 2013 MSGP.

B. Marine Water Quality Standards (Basin Plan, Tables 3-3, 3-3A)

Parameter	Units	Water Quality Standard	Source
pH	SU	6.5-8.5	Basin Plan
Lead Total	mg/L	0.21	Basin Plan
Zinc Total	mg/L	0.09	Basin Plan
Copper Total	mg/L	0.0094	Basin Plan

Attachment 2: Table of Exceedances for Blue Line Transfer Station, Inc.

Table containing each stormwater sampling result that exceeds EPA Benchmarks, Water Quality Standards (WQS), or both. The EPA Benchmarks and Water Quality Standards are listed in Attachment 1. All stormwater samples were reported by the Facility during the past five (5) years.

No.	Sampling Location	Sampling Date	Parameter		Value	Units	Wet Season	Exceeds Benchmark	Exceeds WQS
1	SW1	01/18/2010	Total Suspended Solids	=	217	mg/L	2009-2010	✓	
2	SW2	01/18/2010	Total Suspended Solids	=	125	mg/L	2009-2010	✓	
3	SW1	01/18/2010	Chemical Oxygen Demand	=	134	mg/L	2009-2010	✓	
4	SW1	01/18/2010	Zinc Total	=	0.319	mg/L	2009-2010	✓	✓
5	SW2	01/18/2010	Zinc Total	=	0.492	mg/L	2009-2010	✓	✓
6	SW1	01/18/2010	Copper Total	=	0.0211	mg/L	2009-2010	✓	✓
7	SW2	01/18/2010	Copper Total	=	0.0245	mg/L	2009-2010	✓	✓
8	SW3	01/18/2010	Copper Total	=	0.0135	mg/L	2009-2010	✓	✓
9	1-West Outfall	11/23/2010	Total Suspended Solids	=	492	mg/L	2010-2011	✓	
10	2-West Outfall	11/23/2010	Total Suspended Solids	=	810	mg/L	2010-2011	✓	
11	1-West Outfall	11/23/2010	Chemical Oxygen Demand	=	610	mg/L	2010-2011	✓	
12	1-West Outfall	11/23/2010	Aluminum Total	=	13.8	mg/L	2010-2011	✓	
13	2-West Outfall	11/23/2010	Aluminum Total	=	21.4	mg/L	2010-2011	✓	
14	3-East Outfall	11/23/2010	Aluminum Total	=	1.83	mg/L	2010-2011	✓	
15	1-West Outfall	11/23/2010	Zinc Total	=	1.12	mg/L	2010-2011	✓	✓
16	2-West Outfall	11/23/2010	Zinc Total	=	1.71	mg/L	2010-2011	✓	✓
17	1-West Outfall	11/23/2010	Copper Total	=	0.107	mg/L	2010-2011	✓	✓
18	2-West Outfall	11/23/2010	Copper Total	=	0.15	mg/L	2010-2011	✓	✓
19	3-East Outfall	11/23/2010	Copper Total	=	0.0109	mg/L	2010-2011	✓	✓
20	1-West Outfall	3/18/2011	Total Suspended Solids	=	370	mg/L	2010-2011	✓	
21	2-West Outfall	3/18/2011	Total Suspended Solids	=	511	mg/L	2010-2011	✓	
22	3-East Outfall	3/18/2011	Total Suspended Solids	=	228	mg/L	2010-2011	✓	
23	1-West Outfall	3/18/2011	Aluminum Total	=	23.5	mg/L	2010-2011	✓	
24	2-West Outfall	3/18/2011	Aluminum Total	=	13.7	mg/L	2010-2011	✓	
25	3-East Outfall	3/18/2011	Aluminum Total	=	8.97	mg/L	2010-2011	✓	
26	1-West Outfall	3/18/2011	Iron Total	=	51.5	mg/L	2010-2011	✓	
27	2-West Outfall	3/18/2011	Iron Total	=	23.7	mg/L	2010-2011	✓	
28	3-East Outfall	3/18/2011	Iron Total	=	11	mg/L	2010-2011	✓	
29	1-West Outfall	3/18/2011	Lead Total	=	0.453	mg/L	2010-2011	✓	✓
30	2-West Outfall	3/18/2011	Lead Total	=	0.3	mg/L	2010-2011	✓	✓
31	1-West Outfall	3/18/2011	Zinc Total	=	2.41	mg/L	2010-2011	✓	✓
32	2-West Outfall	3/18/2011	Zinc Total	=	1.32	mg/L	2010-2011	✓	✓
33	1-West Outfall	3/18/2011	Copper Total	=	0.132	mg/L	2010-2011	✓	✓
34	2-West Outfall	3/18/2011	Copper Total	=	0.103	mg/L	2010-2011	✓	✓
35	3-East Outfall	3/18/2011	Copper Total	=	0.0233	mg/L	2010-2011	✓	✓

36	1-West Outfall	10/3/2011	Total Suspended Solids	=	765	mg/L	2011-2012	✓	
37	2-West Outfall	10/3/2011	Total Suspended Solids	=	750	mg/L	2011-2012	✓	
38	1-West Outfall	10/3/2011	Chemical Oxygen Demand	=	1990	mg/L	2011-2012	✓	
39	2-West Outfall	10/3/2011	Chemical Oxygen Demand	=	1970	mg/L	2011-2012	✓	
40	1-West Outfall	10/3/2011	Aluminum Total	=	25.5	mg/L	2011-2012	✓	
41	2-West Outfall	10/3/2011	Aluminum Total	=	26.9	mg/L	2011-2012	✓	
42	1-West Outfall	10/3/2011	Iron Total	=	37.9	mg/L	2011-2012	✓	
43	2-West Outfall	10/3/2011	Iron Total	=	39.4	mg/L	2011-2012	✓	
44	1-West Outfall	10/3/2011	Lead Total	=	0.616	mg/L	2011-2012	✓	✓
45	2-West Outfall	10/3/2011	Lead Total	=	0.621	mg/L	2011-2012	✓	✓
46	1-West Outfall	10/3/2011	Zinc Total	=	3.82	mg/L	2011-2012	✓	✓
47	2-West Outfall	10/3/2011	Zinc Total	=	4	mg/L	2011-2012	✓	✓
48	1-West Outfall	10/3/2011	Copper Total	=	0.322	mg/L	2011-2012	✓	✓
49	2-West Outfall	10/3/2011	Copper Total	=	0.327	mg/L	2011-2012	✓	✓
50	1-West Outfall	03/13/2012	Total Suspended Solids	=	300	mg/L	2011-2012	✓	
51	2-West Outfall	03/13/2012	Total Suspended Solids	=	290	mg/L	2011-2012	✓	
52	1-West Outfall	03/13/2012	Chemical Oxygen Demand	=	206	mg/L	2011-2012	✓	
53	2-West Outfall	03/13/2012	Chemical Oxygen Demand	=	322	mg/L	2011-2012	✓	
54	1-West Outfall	03/13/2012	Aluminum Total	=	9.26	mg/L	2011-2012	✓	
55	2-West Outfall	03/13/2012	Aluminum Total	=	7.89	mg/L	2011-2012	✓	
56	1-West Outfall	03/13/2012	Iron Total	=	13.6	mg/L	2011-2012	✓	
57	2-West Outfall	03/13/2012	Iron Total	=	11	mg/L	2011-2012	✓	
58	1-West Outfall	03/13/2012	Zinc Total	=	0.649	mg/L	2011-2012	✓	✓
59	2-West Outfall	03/13/2012	Zinc Total	=	0.622	mg/L	2011-2012	✓	✓
60	1-West Outfall	03/13/2012	Copper Total	=	0.0614	mg/L	2011-2012	✓	✓
61	2-West Outfall	03/13/2012	Copper Total	=	0.0579	mg/L	2011-2012	✓	✓
62	1-West Outfall	10/22/2012	Total Suspended Solids	=	146	mg/L	2012-2013	✓	
63	2-West Outfall	10/22/2012	Total Suspended Solids	=	194	mg/L	2012-2013	✓	
64	1-West Outfall	10/22/2012	Chemical Oxygen Demand	=	260	mg/L	2012-2013	✓	
65	2-West Outfall	10/22/2012	Chemical Oxygen Demand	=	310	mg/L	2012-2013	✓	
66	1-West Outfall	10/22/2012	Aluminum Total	=	4.62	mg/L	2012-2013	✓	
67	2-West Outfall	10/22/2012	Aluminum Total	=	4.69	mg/L	2012-2013	✓	
68	1-West Outfall	10/22/2012	Iron Total	=	6.9	mg/L	2012-2013	✓	
69	2-West Outfall	10/22/2012	Iron Total	=	6.8	mg/L	2012-2013	✓	
70	1-West Outfall	10/22/2012	Zinc Total	=	0.611	mg/L	2012-2013	✓	✓
71	2-West Outfall	10/22/2012	Zinc Total	=	0.621	mg/L	2012-2013	✓	✓
72	1-West Outfall	10/22/2012	Copper Total	=	0.0597	mg/L	2012-2013	✓	✓
73	2-West Outfall	10/22/2012	Copper Total	=	0.0614	mg/L	2012-2013	✓	✓
74	2-West Outfall	02/19/2013	Total Suspended Solids	=	141	mg/L	2012-2013	✓	
75	1-West Outfall	02/19/2013	Chemical Oxygen Demand	=	430	mg/L	2012-2013	✓	
76	1-West Outfall	02/19/2013	Aluminum Total	=	3.79	mg/L	2012-2013	✓	
77	2-West Outfall	02/19/2013	Aluminum Total	=	1.04	mg/L	2012-2013	✓	
78	1-West Outfall	02/19/2013	Iron Total	=	9.4	mg/L	2012-2013	✓	

79	2-West Outfall	02/19/2013	Iron Total	=	2.6	mg/L	2012-2013	✓	
80	1-West Outfall	02/19/2013	Zinc Total	=	0.439	mg/L	2012-2013	✓	✓
81	2-West Outfall	02/19/2013	Zinc Total	=	0.198	mg/L	2012-2013	✓	✓
82	1-West Outfall	02/19/2013	Copper Total	=	0.107	mg/L	2012-2013	✓	✓
83	2-West Outfall	02/19/2013	Copper Total	=	0.0398	mg/L	2012-2013	✓	✓
84	1-West Outfall	02/06/2014	pH	=	10.1	SU	2013-2014	✓	✓
85	2-West Outfall	02/06/2014	pH	=	10	SU	2013-2014	✓	✓
86	1-West Outfall	02/06/2014	Total Suspended Solids	=	157	mg/L	2013-2014	✓	
87	2-West Outfall	02/06/2014	Total Suspended Solids	=	175	mg/L	2013-2014	✓	
88	2-West Outfall	02/06/2014	Chemical Oxygen Demand	=	144	mg/L	2013-2014	✓	
89	1-West Outfall	02/06/2014	Aluminum Total	=	4.19	mg/L	2013-2014	✓	
90	2-West Outfall	02/06/2014	Aluminum Total	=	4.51	mg/L	2013-2014	✓	
91	1-West Outfall	02/06/2014	Iron Total	=	6.98	mg/L	2013-2014	✓	
92	2-West Outfall	02/06/2014	Iron Total	=	7.01	mg/L	2013-2014	✓	
93	1-West Outfall	02/06/2014	Zinc Total	=	0.355	mg/L	2013-2014	✓	✓
94	2-West Outfall	02/06/2014	Zinc Total	=	0.306	mg/L	2013-2014	✓	✓
95	1-West Outfall	02/06/2014	Copper Total	=	0.0357	mg/L	2013-2014	✓	✓
96	2-West Outfall	02/06/2014	Copper Total	=	0.0321	mg/L	2013-2014	✓	✓
97	1-West Outfall	02/26/2014	Total Suspended Solids	=	175	mg/L	2013-2014	✓	
98	2-West Outfall	02/26/2014	Total Suspended Solids	=	494	mg/L	2013-2014	✓	
99	1-West Outfall	02/26/2014	Chemical Oxygen Demand	=	314	mg/L	2013-2014	✓	
100	2-West Outfall	02/26/2014	Chemical Oxygen Demand	=	531	mg/L	2013-2014	✓	
101	1-West Outfall	02/26/2014	Aluminum Total	=	4.63	mg/L	2013-2014	✓	
102	2-West Outfall	02/26/2014	Aluminum Total	=	9.99	mg/L	2013-2014	✓	
103	1-West Outfall	02/26/2014	Iron Total	=	8.67	mg/L	2013-2014	✓	
104	2-West Outfall	02/26/2014	Iron Total	=	16.8	mg/L	2013-2014	✓	
105	2-West Outfall	02/26/2014	Lead Total	=	0.247	mg/L	2013-2014	✓	✓
106	1-West Outfall	02/26/2014	Zinc Total	=	0.592	mg/L	2013-2014	✓	✓
107	2-West Outfall	02/26/2014	Zinc Total	=	0.997	mg/L	2013-2014	✓	✓
108	1-West Outfall	02/26/2014	Copper Total	=	0.069	mg/L	2013-2014	✓	✓
109	2-West Outfall	02/26/2014	Copper Total	=	0.0993	mg/L	2013-2014	✓	✓

Attachment 3: Alleged Dates of Exceedances by Blue Line Transfer Station, December 4, 2009 to November 27, 2014

Days with precipitation one-tenth of an inch or greater, as reported by NOAA's National Climatic Data Center; San Francisco International Airport, CA station, when a stormwater discharge from the Facility is likely to have occurred. <http://www.ncdc.noaa.gov/cdo-web/search>

2009	2010	2011	2012	2013	2014
12/6	1/12	1/2	1/20	1/23	2/2
12/7	1/17	1/13	1/22	2/7	2/6
12/10	1/18	1/30	1/23	2/8	2/7
12/11	1/19	2/14	2/13	2/19	2/8
12/12	1/20	2/15	2/29	3/5	2/9
12/13	1/21	2/16	3/13	3/31	2/26
12/21	1/22	2/17	3/14	4/1	2/28
12/26	1/23	2/18	3/15	4/4	3/1
	1/25	2/19	3/16	9/21	3/5
	1/26	2/24	3/24	11/19	3/26
	1/29	2/25	3/25	11/20	3/29
	2/4	3/2	3/27	12/6	3/31
	2/6	3/6	3/31		4/1
	2/9	3/13	4/10		4/2
	2/21	3/14	4/12		4/4
	2/23	3/15	4/13		4/25
	2/26	3/18	4/25		9/25
	2/27	3/19	10/22		10/25
	3/2	3/23	10/24		10/31
	3/3	3/24	11/1		11/12
	3/12	3/26	11/16		11/13
	3/30	4/13	11/17		11/19
	3/31	5/14	11/20		11/20
	4/4	5/17	11/21		11/22
	4/11	6/1	11/28		
	4/12	6/3	11/30		
	4/20	6/4	12/1		
	5/10	6/28	12/2		
	5/27	10/3	12/5		
	10/23	10/4	12/12		
	10/24	10/5	12/15		
	11/7	11/4	12/17		
	11/19	11/5	12/21		
	11/20	11/11	12/22		
	11/21	11/19	12/23		
	11/23	11/20	12/25		
	11/27	11/24	12/26		
	12/5		12/28		
	12/8		12/29		
	12/14				
	12/17				
	12/18				
	12/19				
	12/21				

	12/22				
	12/25				
	12/28				